

REMARKS/ARGUMENTS

Claims 1-13, 16, 17, 19-21, 24-28, 30-43, 45-54, 56, 58, 74, 75 and 77-85 are pending.

Applicant respectfully disagrees with many of the characterizations of the Office Action, including characterizations regarding the claims, the prior art, and the indication as to which claims are readable or not readable upon the elected species. However, in view of the subject matter acknowledged as allowable, the present amendment is submitted to place the application in condition for allowance based on the allowed subject matter.

For the reasons set forth below, each of the remaining claims is allowable as acknowledged by the Office Action.

Independent claim 1 is amended to include the features previously set forth in claim 8. Because claim 8 was acknowledged as allowable in the Office Action, it is submitted that claim 1 is allowable, as are the claims depending therefrom. Although Applicant respectfully disagrees with the withdrawal of claim 7 from consideration, particularly since claim 7 was previously allowed, claim 7 is amended to now depend from allowable claim 1, and therefore, claim 7 is also allowable. Further, regarding the feature in which the surface to which the applicator applies the product is in eyelid, this feature is now set forth in claim 8.

Because claim 1 is amended to include the allowable subject matter of previous claim 8, claim 1 and the claims depending therefrom are allowable.

Independent claim 10 is amended to include the features of previous claims 14 and 15. Because claim 15 was acknowledged as allowable, claim 10 and the claims depending therefrom are also allowable.

Independent claim 12 was allowed in the Office Action, and therefore, the claims depending from claim 12 are also allowable.

Independent claim 24 is amended to include the feature previously set forth in claim 55, which was indicated as allowable in the Office Action. Accordingly, claim 24 and the claims depending therefrom are allowable.

Independent claim 31 was allowed in the Office Action.

Independent claim 32 was indicated as not readable upon the elected embodiment. Applicant respectfully disagrees, because figure 5 illustrates the two arms held by a resilient retaining mechanism on the grasping element. Nevertheless, in order to advance prosecution, claim 32 is amended to depend from claim 1, and therefore, claim 32 is allowable.

Independent claim 33 was allowed in the Office Action, as were independent claims 47 and 56.

The Office Action fails to address independent claim 58. In order to render moot this issue, claim 58 is amended to depend from allowed claim 12, and therefore, claim 58 is also allowable.

Finally, independent claim 74 and the claims depending therefrom were allowed in the Office Action.

For the foregoing reasons, it is respectfully submitted that this application is now in condition for allowance. A Notice of Allowance for claims 1-13, 16, 17, 19-21, 24-28, 30-43, 45-54, 56, 58, 74, 75 and 77-85 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, he or she is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

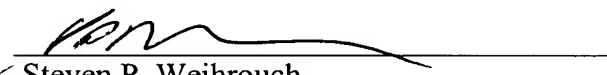
Respectfully submitted,

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